

MINUTES OF THE 1177th MEETING
OF THE BOARD OF TRUSTEES OF THE VILLAGE OF KINGS POINT
August 29, 2023
Adopted on October 2, 2023

The 1177th Meeting of the Board of Trustees of the Village of Kings Point was called to order by Mayor Kouros Torkan at 6:09 p.m. on August 29, 2023, at the Village Hall of the Village of Kings Point, 32 Steppingstone Lane, Kings Point, New York 11024.

PRESENT: Kouros Torkan, Mayor
Hooshang Nematzadeh, Deputy Mayor
Ebi Victory, Trustee
Ted Kashinejad, Trustee
Ira S. Nesenoff, Trustee

ALSO PRESENT: Gomie Persaud, Village Administrator
Stephen G. Limmer, Esq., McLaughlin & Stern, LLP,
General Counsel
Domenick Stanco, Superintendent of Public Works
Chris Aiossa, Superintendent of the Building Department

ABSENT: None

Mayor Kouros Torkan opened the public hearing on the **proposed Bill 10B of 2023**, amending the Code of the Village of Kings Point with regards to the Powers of the Building Inspector. No one asked to be heard and the Mayor closed the public hearing. Upon motion by Trustee Hooshang Nematzadeh, seconded by Trustee Ira S. Nesenoff, by resolution # **2023-149**, the Board unanimously approved the proposed Bill as Local Law **14 of 2023**. A copy of the Local Law is on file with the Village Administrator.

Upon motion by Trustee Hooshang Nematzadeh, seconded by Trustee Ira S. Nesenoff, by resolution # **2023-150**, the Board unanimously approved the minutes as presented of the **Board of Trustees meeting** of July 27, 2023.

Upon motion by Trustee Ebi Victory, seconded by Trustee Ira S. Nesenoff, by resolution # **2023-151**, the Board unanimously approved the payment of **audited claims** as follows:

- a. General Fund: \$ 380,159.29**
- b. Trust Fund: \$ 73,680.75**

A copy of the abstract of claim is on file with the Village Administrator.

Upon motion by Trustee Ira S. Nesenoff, seconded by Trustee Ebi Victory, by resolution # **2023-152**, the Board unanimously accepted the **Building Department report** for the period of July 2023, showing the total fees deposited of **\$29,390.00** into the General Fund

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and **\$224,000.00** into the Trust Fund. A copy of the report is on file with the Village Administrator.

Upon motion by Trustee Hooshang Nematzadeh, seconded by Trustee Ebi Victory, by resolution # **2023-153**, the Board unanimously accepted the **Village Justice Court report** for the period of July 2023, showing the total fees and surcharges deposited of **\$16,797.00** into the General Fund. A copy of the report is on file with the Village Clerk.

Village Administrator Gomie Persaud advised the Board of the bid opening that had been held on August 23, 2023, with regard to the bids for the **Tree Trimming and Related Services Contract as follows:**

SUMMARY OF BIDS
Tree Trimming and Related Services
Bid Date: August 23, 2023

Item #1	Price for one year (09/01/23– 08/31/24)		
Item #2	Price for one year (09/01/24 – 08/31/25) at Village’s option		
Item #3	Price for one year (09/01/25 – 08/31/26) at Village’s option		
Vendor	Item #1	Item #2	Item #3
Greenleaf Landscaping And Tree Care Inc.	\$99,525.00	\$ 99,525.00	\$99,525.00
Harder Service, Inc.	\$63,632.94	\$ 75,973.28	\$80,001.53
Dom’s Lawn Maker Inc.	\$129,160.00	\$136,909.60	\$136,909.60

Upon motion of Trustee Ebi Victory, seconded by Trustee Ted Kashinejad, by resolution # **2023-154** the Board unanimously awarded the **Trim Trimming and Related Services Contract** for the period of September 1, 2023, through August 31, 2024, with two (2) one-year options to be exercised at the discretion of the Board, to Harder Service, Inc., as the lowest responsible bidder. Copies of the bids are on file with the Village Clerk.

Trustee Ebi Victory introduced **Bill No. 15A of 2023**, a local law amending the provisions for the maintenance of construction sites within the Village of Kings Point. Upon motion by Trustee Hooshang Nematzadeh, seconded by Trustee Ted Kashinejad, by resolution # **2023-155**, the Board unanimously found that the adoption of the Bill as a local law would not be an action as defined in in 6 NYCRR Part 617 and no environmental review is required pursuant thereto, and authorized General Counsel to prepare, mail, and publish all of the necessary legal notices for a public hearing for Bill No. 15A of 2023, a local law amending the provisions for the maintenance of

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construction sites within the Village of Kings Point, on **October 2, 2023, at 6:00 p.m.** A copy of the Bill is on file with the Village Administrator.

Mayor Kouros Torkan made the following appointments subject to the approval of the Board :

Enhancement Committee Members One Year Term:

Payam Kermanian – Chairman
Ebi Victory – Member
Isabelle Bassalian – Member
Michelle Ahdoot – Member
Farzin Kimiabaksh – Member
Oliver Eteessami – Member
Simon Zar – Member

Upon motion by Trustee Ira S. Nesenoff, seconded by Trustee Hooshang Nematzadeh, by resolution # **2023-156**, the Board unanimously approved the **Appointment of the Enhancement Committee Members for one year** as made by Mayor Kouros Torkan.

The Board reviewed the letter dated August 9, 2023, from Harras, Bloom & Archer, LLP, on behalf of the owners of 33 Pheasant Run, seeking an amendment of the Declaration of Covenants and Restrictions, which, in relevant part, limits the areas upon which the dwelling and its accessory structures may be constructed on 33 Pheasant Run. Upon motion of Trustee Ira S. Nesenoff, seconded by Trustee Ebi Victory, by resolution # **2023-157**, the Board unanimously approved scheduling an application for such amendment for the next Board meeting and directed the Village Administrator to notify Harras, Bloom and Archer, LLP, that it is required to give notice, in accordance with Chapter 25 of the Village Code, to all of the property owners fronting on Pheasant Run, that the application will be heard on **October 2, 2023, at 6:00 p.m.** A copy of the letter is on file with the Village Administrator.

The Board discussed the letter from Grace Harbor Association, Inc., dated August 18, 2023, with representatives from the Association, Inc. and indicated that, subject to hearing from affected residents, it thought that the proposal for the Village to abandon the paper street known as Shady Brook Road, protect the rights of the neighboring property owner that has its driveway over Shady Brook Road, and develop the Association's property with part of Shady Brook Road for a single-family dwelling, appeared to have merit, so long as the Association would adequately provide for the repair and relocation, as might be necessary, of all utilities that are presently within Shady Brook Road. A copy of the letter is on file with the Village Administrator.

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The Village Administrator presented the contract proposal for the inspection, testing, and maintenance of the automatic fire sprinkler systems in the Village Hall from Maccarone Plumbing, Inc, in the amount of \$2,350.00 per year. Upon motion of Trustee Hooshang Nematzadeh, seconded by Trustee Ted Kashinejad, by resolution # **2023-158**, the Board unanimously approved the proposal from Maccarone Plumbing, Inc. in the amount of **\$2,350.00** per year for the inspection, testing, and maintenance of the automatic fire sprinkler systems in the Village Hall. A copy of the proposal is on file with the Village Administrator.

Superintendent of Public Works Domenick Stanco informed the Board that he would like the Board to consider a salary increase of **\$2,500.00** for Jose Alvarado. Jose has shown dedication and has been an asset to the department. Upon motion by Trustee Hooshang Nematzadeh, seconded by Trustee Ebi Victory, by resolution # **2023-159**, the Board unanimously approved an increase in compensation at the rate of **\$2,500.00**, per year for Jose Alvarado.

Mayor Torkan discussed with the Board his previous agreement with Domenick Stanco to review Domenick's performance after he completed six months with the Village and to consider both a salary increase of **\$5,000.00**, and an extra week of vacation. Dominick has been doing a great job with the management of the Public Works Department. Upon motion of Trustee Ted Kashinejad, seconded by Trustee Ebi Victory, by resolution # **2023-160**, the Board unanimously approved an increase in compensation at the rate of **\$5,000.00**, per year and an additional one (1) week of vacation for Dominick A. Stanco, based on his six months performance.

Mayor Torkan discussed the maintenance of the overgrown landscaping at East Shore Park. The park is a protected wetland and maintenance of the landscaping is regulated by the New York State Department of Environmental Conservation ("DEC"). The Mayor recommended that the Village retain a specialist, Charles Bowman of Land Use Ecological Services, Inc., to assist and train Department of Public Works employees on what can be removed or trimmed based upon DEC regulations. Upon motion of Trustee Hooshang Nematzadeh, seconded by Trustee Ted Kashinejad, by resolution # **2023-161**, the Board unanimously authorized the Mayor to retain the services of Charles Bowman of Land Use Ecological Services, Inc., to train Public Works employees how to properly maintain East Shore Park in accordance with DEC regulations, for a cost not exceeding **\$10,000.00**.

The Board reviewed the letter from Albert Kallati, who resides at 10 Blue Sea Lane, requesting a waiver, pursuant to § 100-15(B) of the Village Code, to permit him to seek Planning Board approval pertaining to a pool permit although 3 years have not past since the issuance of his certificate of occupancy. Since the Kallatis were delayed because of a

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tenant issue beyond their control during the COVID-19 pandemic, and not because of delays within their control, upon motion by Trustee Hooshang Nematzadeh, seconded by Trustee Ira S. Nesenoff, by resolution # **2023-162**, the Board unanimously agreed to grant the requested waiver. A copy of the letter is on file with the Village Administrator. The Mayor discussed with the Board rising interest rates and ways in which the Village can earn better rates in the General Fund Account. Upon motion of Trustee Ebi Victory, seconded by Trustee Ira S. Nesenoff, by resolution # **2023-163**, the Board unanimously directed the Village Administrator to open a Money Market account with NY Class and invest **\$13,000,000.00**, from the General Fund account at JP Morgan Chase Bank and **\$2.8 million** from Special Revenue and Police Retirement Funds with Wells Fargo Bank to purchase Treasury Bills in the name of the Village of Kings Point to be held in a segregated account for the benefit of the Village of Kings Point, subject to General Counsel Stephen Limmer confirming that either no collateral is required if the Treasury Bills are purchased through Wells Fargo Bank in the name of the Village of Kings Point and they are held in a segregated account for the Village of Kings Point, or, if it is required, approval of the collateral agreement.

Upon motion by Ted Kashinejad, seconded by Trustee Ira S. Nesenoff, by resolution # **2023-164**, the Board unanimously adopted the following resolution:

WHEREAS there is now pending in the Supreme Court, Nassau County, a proceeding by the owner of certain property within the Village of Kings Point to reduce the assessed valuation placed on its property for Village tax purposes; and

WHEREAS the General Counsel to the Village recommends that said proceeding be settled in accordance with a written memorandum to this Board dated August 25, 2023.

NOW, THEREFORE, the General Counsel is hereby authorized to settle the following tax certiorari proceeding on the basis indicated.

Shahram & Mojdeh Hedvat
Address: 10 Bancroft Lane
Section 1, Block 148, Lots 48, 49, 50, & 51

<u>Tax</u> <u>Year</u>	<u>Present</u> <u>Assessment</u>	<u>Proposed</u> <u>Assessment</u>	<u>Reduction</u>	<u>Total Tax</u> <u>Rate/</u>	<u>Resulting</u> <u>Refund</u>
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2019/20	\$24,850	\$13,498	\$11,352	.3918	\$4,448
2020/21	\$24,850	\$20,350	\$ 4,500	.3917	\$1,763
2021/22	\$24,850	\$24,850	None		None
2022/23	\$41,165	\$41,165	None		None

Petitioner sought a total refund of **\$10,424**

Lump Sum Settlement of **\$6,000**,
with 2022/23 assessment of **\$41,165**

Mayor Kouros Torkan stated that the Board of Trustees would not be meeting in September due to the holidays. Next meeting will be **October 2, 2023**, commencing at **6:00 p.m.**

There being no further business to come before the Board, the Mayor adjourned the meeting at 7:46 p.m.

Gomie Persaud
Village Administrator